

CERTIFICATE OF MAILING

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Date: September 1, 2005

By: Mari Kleineidam  
Mari Kleineidam

**PATENT**  
Attorney Docket No. GC634-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	)	Group Art Unit: 1633
	)	
BRON <i>et al.</i>	)	Examiner: BURKHART, Michael D.
	)	
Serial No.: 09/954,737	)	Confirmation No.: 7663
	)	
Filed: September 17, 2001	)	Customer No.: 05100
	)	
For: Twin-Arginine Translocation in	)	
<i>Bacillus</i>	)	

**TRANSMITTAL FOR NOTICE OF  
NON-COMPLIANT AMENDMENT UNDER 37 CFR 1.121**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In complete response to the Notice of Non-Compliant Amendment (37 CFR 1.121) mailed August 5, 2005, enclosed please find:

- ☐ Combined Declaration and Power of Attorney signed by the inventor(s) and the surcharge of \$130.00 as set forth in 37 C.F.R. § 1.16(e)
- ☐ Petition for a \_\_\_\_\_ Extension of Time
- ☐ Revocation & New Power of Attorney
- ☐ Preliminary Amendment
- ☒ Statement of Sameness

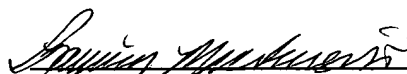
Serial No.: 09/954,737  
Filed: September 17, 2001

- ☒ Paper copy of Sequence Listing
- ☒ Diskette copy of Sequence Listing
- ☐ Request for Use of an Identical Computer Readable Form in Another Application Under 37 CFR § 1.821(e)
- ☒ Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures (copy of Notice to be returned with response)
- ☐ Form PTO-1533 (copy of Notice to be returned with response)
- ☒ Other: Response to Notice of Non-Compliant Amendment and Notice to Comply and Replacement Sheet of Figure 7.
- ☐ Charge \$ \_\_\_\_\_ to Deposit Account No. 07-1048.

The Director is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 07-1048 (Docket No. GC634-2). A duplicate of this paper is enclosed.

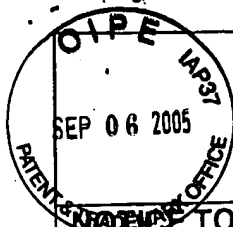
Respectfully submitted,

Date: 1 September 2005

  
Kamrin T. MacKnight  
Registration No. 38,230

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Palo Alto, CA 94304-1013  
Tel.: 650-846-7500, Ext. 5838  
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5/2/05

**Notice to Comply**

Application No.

09/954,737

Examiner

Gerald G. Leffers Jr.

Applicant(s)

BRON ET AL.

Art Unit

1636

# **NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: The submission of 6/4/2004 still does not provide sequence identifiers for sequences in Figures 1 & 7 (e.g. amino acid motifs), or for Tables 1 & 4. If these sequences are already present in the sequence listing, then all applicant needs to do is amend the specification to include the appropriate sequence identifiers. If any of these sequences are not already present in the sequence listings submitted on 6/4/2004, then applicants must provide the substitute listings and attorney's statements as indicated below.

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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S.O.D

5/8/04

## NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

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- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: Sequence identifiers still have not been provided for any of the sequences in the Tables and Figures. If these sequences are in the sequence listing, then applicant need only amend the specification to include the sequence identifiers (i.e. in the Brief Description of the Drawings for the Figures). If any of the sequences in the tables/figures are NOT in the sequence listing, new submissions are required as indicated below. It is noted applicants did not indicate in the replacement paragraphs the changes made (e.g. underlining). It is requested that the changes to the specification made in the 3/8/04 response and any new changes be made in accordance with the changes to 37 CFR 1.121 as of 6/30/03 (<http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>).

### Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

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